

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FTE NETWORKS, INC.,  
Plaintiff,

v.

SUNEET SINGAL, *ET AL.*,  
Defendants.

Case No. 22-cv-5960 (PGG)

**DECLARATION OF ANDREW K. STUTZMAN**

Pursuant to 28 U.S.C. § 1746, Andrew K. Stutzman declares:

1. I am a Partner at the law firm Stradley Ronon Stevens & Young, LLP, which represents Defendants Suneet Singal; TTP8, LLC; First Capital Master Advisor, LLC; Majique Ladnier; Innovativ Media Group, Inc.; and Thomas Coleman (collectively, the “Moving Defendants”) in the above-captioned case.

2. I am familiar with the facts and circumstances of this action as legal counsel. I submit this declaration to place relevant documents into the record in support of Moving Defendants’ Motion to Dismiss, and request that the Court take judicial notice of these documents.

3. Annexed hereto as **Exhibit 1** is a true and correct copy of the docket in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

4. Annexed hereto as **Exhibit 2** is a true and correct copy of the August 25, 2022 “Order Granting Ex Parte Emergency Motion for Temporary Restraining Order” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

5. Annexed hereto as **Exhibit 3** is a true and correct copy of the August 29, 2022 “Stipulation and Order and Joint Request to Vacate August 31, 2022, Hearing; Dissolve Temporary Restraining Order; Vacate Briefing Deadline; and Deny Motion for Preliminary

Injunction as Moot Without Prejudice” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

6. Annexed hereto as **Exhibit 4** is a true and correct copy of the September 14, 2022 “Order Setting Hearing on Ex Parte Emergency Motion for Temporary Restraining Order” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

7. Annexed hereto as **Exhibit 5** is a true and correct copy of the September 22, 2022 “Order Granting Motion for Temporary Restraining Order” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

8. Annexed hereto as **Exhibit 6** is a true and correct copy of the November 7, 2022 “Order Granting Motion for Preliminary Injunction” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

9. Annexed hereto as **Exhibit 7** is a true and correct copy of the March 8, 2023 “Order Granting Motion for Partial Summary Judgment and Denying Countermotion to Dismiss, or in the alternative, for Summary Judgment” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

10. Annexed hereto as **Exhibit 8** is a true and correct copy of the March 30, 2023 “Order Granting Ex Parte Emergency Motion for Temporary Restraining Order” entered in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

11. Annexed hereto as **Exhibit 9** is a true and correct copy of the transcript of April 12, 2023 preliminary injunction hearing in *Innovativ Media Group, Inc. v. FTE Networks, Inc.*, No. A-22-849188-B (Clark County, Nev.).

12. Annexed hereto as **Exhibit 10** is a true and correct copy of the docket in *Innovativ Media Group, Inc. et al. v. Michael Beys, et al.*, Case No. 22-01184 (D. Nev. 2022) (“Derivative Case”).

13. Annexed hereto as **Exhibit 11** is a true and correct copy of the docket in *Innovativ Media Group, Inc., et al. v. Michael Beys, et al.*, Case No. 22-01362 (D. Nev. 2022) (“Proxy Case”).

14. Annexed hereto as **Exhibit 12** is a true and correct copy of “Schedule 3.14(a), Litigation Schedule” to the December 20, 2019 Purchase Agreement. A partial copy of the Purchase Agreement was attached to Plaintiff’s Complaint at Ex. D.

15. Annexed hereto as **Exhibit 13** is a true and correct copy of Alexander and Antoni Szkaradek’s “Answer with Affirmative Defenses and Counterclaims” (ECF 20) in *FTE Networks Inc. v. Alexander Szkaradek, et al.*, Case No. 22-00785 (D. Del. 2022).

16. Annexed hereto as **Exhibit 14** is a true and correct copy of FTE’s “Amended Answer to Counterclaims with Affirmative Defenses” (ECF 23) in *FTE Networks Inc. v. Alexander Szkaradek, et al.*, Case No. 22-00785 (D. Del. 2022).

17. Annexed hereto as **Exhibit 15** is a true and correct copy of the March 8, 2023 Order (the “Szkaradek Voting Order”) (ECF 41) entered in *FTE Networks Inc. v. Alexander Szkaradek, et al.*, Case No. 22-00785 (D. Del. 2022).

18. Annexed hereto as **Exhibit 16** is a true and correct copy of the “Declaration of Dean Trinh” signed under penalty of perjury.

I declare under penalty of perjury that the foregoing is true and correct.

Date: May 1, 2023

/s/Andrew K. Stutzman  
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